

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ROBERT J. HIMEBAUGH,

Plaintiff,

v.

No. 05-73667

Hon. Arthur J. Tarnow

COMMISSIONER OF SOCIAL  
SECURITY

Magistrate Judge Wallace Capel, Jr.

Defendant.

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**JUDGMENT**

In accordance with the Order entered this date, adopting the Magistrate Judge's report and recommendation, denying plaintiff's motion for summary judgment, and granting defendant's motion for summary judgment,

JUDGMENT IS ENTERED in favor of defendant.

Dated at Detroit, Michigan, this 28<sup>th</sup> day of February, 2007

DAVID J. WEAVER  
CLERK OF THE COURT

BY: s/s THERESA E. TAYLOR  
Deputy Clerk

Approved:

S/ARTHUR J. TARNOW  
ARTHUR J. TARNOW  
UNITED STATES DISTRICT JUDGE